



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HOSHINO et al.

Appln. No. 10/587,333

Filed: September 8, 2006

FOR: MICROBIAL PRODUCTION OF VITAMIN C

Confirmation No. 6631

Atty. Ref.: 4662-217

T.C. / Art Unit: 1651

Examiner: S.R. Macauley

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### STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

November 23, 2009

#### **Mail Stop Amendment**

U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

With regard to the telephone Interview of November 20, 2009, the following is Applicant's statement of the substance of the interview.

Two points were discussed with the Examiner:

#### First Point

The Examiner requested an amendment to claim 1 to remove the word "of." Amended claim 1 would read as follows:

1. (Currently Amended) A process for the production of vitamin C from L-sorbosone using a microorganism belonging to the genus *Ketogulonicigenium*, said process comprising ~~of~~ contacting cells consisting of a microorganism belonging to the genus *Ketogulonicigenium* in a reaction medium containing L-sorbosone and isolating the produced vitamin C from the reaction mixture and optionally further purifying the produced vitamin C.

Please note that the above paragraph is not an actual amendment but a statement of what was discussed with the Examiner. Applicants are in agreement with the Examiner that the word "of" may be removed from claim 1 solely for the purpose of improving readability.

Second Point

The Examiner requested an amendment to claim 5 to improve readability as follows:

5. (Currently Amended) The process according to claim 1, wherein the microorganism is selected from the group consisting of *Ketogulonicigenium robustum*, and *Ketogulonicigenium vulgare*, and mutants thereof.

Please note that the above paragraph is not an actual amendment but a statement of what was discussed with the Examiner. Applicants are in agreement with the Examiner that a mutant of *Ketogulonicigenium robustum* or *Ketogulonicigenium vulgare* would also be *Ketogulonicigenium robustum* or *Ketogulonicigenium vulgare*. Applicants and the Examiner are in agreement that amended claim 5, as listed above, would read on a mutant of *Ketogulonicigenium robustum* or a mutant of *Ketogulonicigenium*. Therefore, solely in an effort to expedite prosecution, Applicants agreed to the examiner's request for a claim amendment.

The Examiner is invited to contact the undersigned if any further information is required to complete the record of the substance of the interview.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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